

Message

From: Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]
Sent: 1/21/2021 1:23:41 PM
To: Armor, Suzanne [Armor.Suzanne@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Pugh, Katherine [Pugh.Katherine@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]
Subject: RE: deliberative RE: question from Jeanine Bennett

Ok – then go with the short response - jmg

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Thursday, January 21, 2021 8:21 AM
To: Creswell, Michael <Creswell.Michael@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: RE: deliberative RE: question from Jeanine Bennett

Agree with Michael; either response is fine by me.

From: Creswell, Michael <Creswell.Michael@epa.gov>
Sent: Thursday, January 21, 2021 8:15 AM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: RE: deliberative RE: question from Jeanine Bennett

I am fine with either the shorter version suggested by Tom or Jeaneanne's longer version

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Wednesday, January 20, 2021 5:29 PM
To: McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: deliberative RE: question from Jeanine Bennett

Deliberative:

My suggestions:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Wednesday, January 20, 2021 5:18 PM

To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: RE: question from Jeanine Bennett

Importance: High

I just spoke with Jeaneanne about the draft response to Jeanine Bennett, and am taking another crack at the response based on her feedback (see below). I need help from the attorneys to clarify: **Ex. 5 Attorney Client (AC)**

Ex. 5 Attorney Client (AC) and I'm attaching the respective letters we issued to the Tribe on 12/16/20 and 12/17/20 for your reference. Please let me know if you have any comments or suggested revisions. Thanks! Tom

***** draft response *****

Ex. 5 Deliberative Process (DP)

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Sent: Wednesday, January 20, 2021 11:15 AM

To: McGill, Thomas <McGill.Thomas@epa.gov>

Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: Re: question from Jeanine Bennett

Hold on this I think we need to refine our answer.

Sent from my iPhone

On Jan 20, 2021, at 11:06 AM, McGill, Thomas <McGill.Thomas@epa.gov> wrote:

Please see Jeanine Bennett's question in her email below. I can share a response along the lines of the following but I would appreciate any comments or suggested revisions.

***** draft response *****

Ex. 5 Deliberative Process (DP)

From: Jeanine Bennett <JeanineB@miccosukeetribes.com>

Sent: Wednesday, January 20, 2021 9:07 AM

To: McGill, Thomas <McGill.Thomas@epa.gov>

Subject: RE: Discussion and Feedback Received on the Executed Section 106 Programmatic Agreement Regarding Florida's Assumption of a Section 404 Program

Tom,

Why is this letter being sent? Is this EPA's way of closing government to government consultation on Section 106?

Jeanine



Jeanine Bennett, Esq.

Miccosukee Tribe of Indians of Florida

General Counsel, In-House

PO Box 440021

Miami, FL 33144

jeanineb@miccosukeetribes.com

O: 305.223.8380 **Ext:** 5211 **F:** 305.894.5212

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Tuesday, January 19, 2021 5:47 PM

To: Hope Lovemore <HopeL@miccosukeetribes.com>; Beverly Tiger <BeverlyT@miccosukeetribes.com>; Kevin Donaldson <KevinD@miccosukeetribes.com>; Jeanine Bennett <JeanineB@miccosukeetribes.com>; Amy Castaneda <AmyC@miccosukeetribes.com>; Gene Duncan <GeneD@miccosukeetribes.com>; Lyanne Mendez <LyanneM@miccosukeetribes.com>; Craig van der Heiden <CraigV@miccosukeetribes.com>

Cc: Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>

Subject: Discussion and Feedback Received on the Executed Section 106 Programmatic Agreement Regarding Florida's Assumption of a Section 404 Program

Good afternoon,

Please see the attached signed letter from Jeaneanne M. Gettle, Director of the U.S. EPA Region 4 Water Division, regarding the discussions and feedback received on the executed Section 106 Programmatic Agreement for Florida's Assumption of a Section 404 Program. If you have any questions please let us know.

Tom

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Thomas McGill, Chief

Ocean, Wetlands & Streams Protection Branch

U.S. EPA Region 4, Water Division

61 Forsyth Street SW

Atlanta, GA 30303

Mcgill.thomas@epa.gov

404-562-9243